

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

SUBARU KANESAKA, SP 2013-MV-072 Appl. under Sect(s). 8-917 of the Zoning Ordinance to permit modifications to the limitations on the keeping of animals. Located at 5902 Mount Eagle Dr, Unit 809, Alexandria, 22303, on approx. 1,120 sq. ft. of land zoned R-30. Mt. Vernon District. Tax Map 83-3 ((31)) (2) 809. Mr. Byers moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on December 4, 2013; and

WHEREAS, the Board has made the following findings of fact:

1. The applicant is the owner of the land.
2. The present zoning is R-30.
3. The area of the lot is 1,120 square feet.
4. The chinchilla is locked in a cage all day.
5. When the owners come home at night, it is in a locked apartment.
6. The Board has determined that although a chinchilla is not considered a commonly accepted pet, the County Attorney has made the determination it is neither a wild nor exotic pet.
7. The Board has also determined, at least according to the Fairfax County Animal Shelter, that they can be taken in under foster care.
8. This is delineated by the application or the permits that the Board saw that were put forward by the Fairfax County Animal Shelter.
9. Chinchillas make no noise.
10. The Board is also assuming that they have no odor based on the testimony that was presented before the Board.
11. They are commonly sold in pet stores.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

1. This approval is granted to the applicant only, Subaru Kanesaka, for the keeping of a chinchilla, and is not transferable without further action of this Board, and is only

for the location indicated on the application, 5902 Mount Eagle Drive, #809 (1,120 square feet) and is not transferable to other land.

2. The applicant shall make this special permit property available for inspection by County Officials during reasonable hours of the day.

This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

Mr. Beard seconded the motion, which carried by a vote of 7-0.

A Copy Teste:

A handwritten signature in cursive script, reading "Lorraine A. Giovinazzo".

Lorraine A. Giovinazzo, Deputy Clerk
Board of Zoning Appeals